

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 1:20-cv-00374-MR-DSC**

|                                  |   |
|----------------------------------|---|
| <b>DEANA HOSIE,</b>              | ) |
|                                  | ) |
| <b>Plaintiff,</b>                | ) |
|                                  | ) |
| <b>v.</b>                        | ) |
|                                  | ) |
| <b>OMNI HOTELS MANAGEMENT</b>    | ) |
| <b>CORPORATION <i>et al.</i></b> | ) |
|                                  | ) |
| <b>Defendants.</b>               | ) |

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**ORDER**

**THIS MATTER** is before the Court on “Defendants’ Motion to Compel” (document # 24) as well as the parties’ briefs and exhibits (docs # 25–27). For the reasons set forth in Defendants’ briefs, the Motion is granted in part and denied in part without prejudice.

Defendants seek to compel complete responses to their Interrogatories and Requests for Production of Documents. In Plaintiff’s Rule 26 initial disclosures, she listed medical records and medical imaging studies related to her injury, diagnoses, treatment, and therapy. To date, Plaintiff has not produced those documents. Nor has she provided complete responses to Interrogatories.

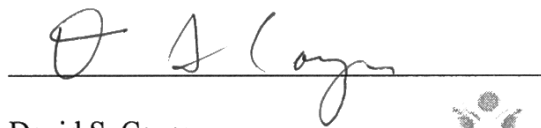
Pursuant to Rule 37, Defendants further seek to bar Plaintiff from using any medical records, documents, or information not produced pursuant to this Order. See Fed. R. Civ. P. 37(b)(2)(A)(ii).

**IT IS HEREBY ORDERED** that:

1. “Defendants’ Motion to Compel” is granted in part and denied in part. Plaintiff shall serve complete supplemental responses to Defendants’ interrogatories and produce all responsive medical records or other documents. Responses shall be served within fifteen days of this Order. If Plaintiff contends that any responsive documents have already been produced, she shall state that fact in a verified discovery response.
2. Defendants’ request for sanctions is denied without prejudice to re-filing in the event Plaintiff does not comply with this Order.
3. The Clerk is directed to send copies of this Order to the parties’ counsel and to the Honorable Martin Reidinger.

**SO ORDERED.**

Signed: July 6, 2021

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

